



## *City of El Paso – City Plan Commission Staff Report*

**Case No:** SURW16-00005 Linda Lane Street Vacation  
**Application Type:** Right-of-Way Vacation  
**CPC Hearing Date:** September 22, 2016  
**Staff Planner:** Armida Martinez, (915) 212-1605, [martinezar@elpasotexas.gov](mailto:martinezar@elpasotexas.gov)  
**Location:** West of Montoya at Linda Avenue  
**Acreage:** .459 acres  
**Rep District:** 8  
**Existing Use:** Right-of-way  
**Existing Zoning:** R-1 (Residential)  
**Proposed Zoning:** R-1 (Residential)  
**Nearest Park:** White Spur Park (1.62)  
**Nearest School:** Bond Elementary (1.16 acres)  
**Property Owner:** City of El Paso  
**Applicant:** Paul L. Foster  
**Representative:** CSA Design Group

### **SURROUNDING ZONING AND LAND USE**

**North:** R-1 (Residential)  
**South:** R-1 (Residential)  
**East:** R-1 (Residential)  
**West:** R-1 (Residential)

**PLAN EL PASO DESIGNATION:** G-3 Post-War

### **APPLICATION DESCRIPTION**

The applicant is requesting to vacate 50' by 400' (0.459 Acres) portion of Linda Lane. The purpose of the vacation is to create a private street. The property will be maintained by the applicant.

### **NEIGHBORHOOD INPUT**

Notice of a Public Hearing was published in the El Paso Times on September 8, 2016 and a notice was mailed to all property owners within 300 feet of the subject property. The Planning Division did not receive any communication in support or in opposition to the request.

### **DEVELOPMENT COORDINATING COMMITTEE**

The Development Coordinating Committee is pending **approval** of Linda Lane right-of-way vacation subject to the following conditions and requirements:

- That the applicant dedicates a full-width access and utility easement over the subject area.
- That the applicant submits a replat showing a private street and covenants pertaining to the maintenance of the private street for review and approval prior to City Council approval.

**Planning Division Recommendation:**

Staff is pending approval of the vacation with the conditions as stated above.

**Planning and Inspections Department - Land Development**

No objections.

**El Paso Water Utilities**

El Paso Water has reviewed the above referenced street vacation request and provide the following comments:

EPWater requires a full-width utility easement to be retained with the vacation.

**Water:**

There is an existing 6-inch diameter water main extending along Linda Lane.

**Sanitary Sewer:**

There is an existing 8-inch diameter sanitary sewer main extending along Linda Lane.

**Parks and Recreation:**

No comments received.

**Texas Gas Company**

No comments received.

**El Paso Electric Company:**

No comments received.

**911:**

No comments received.

**Attachments**

1. Location Map
2. Aerial Map
3. Survey
4. Metes & Bounds
5. Application

ATTACHMENT 1



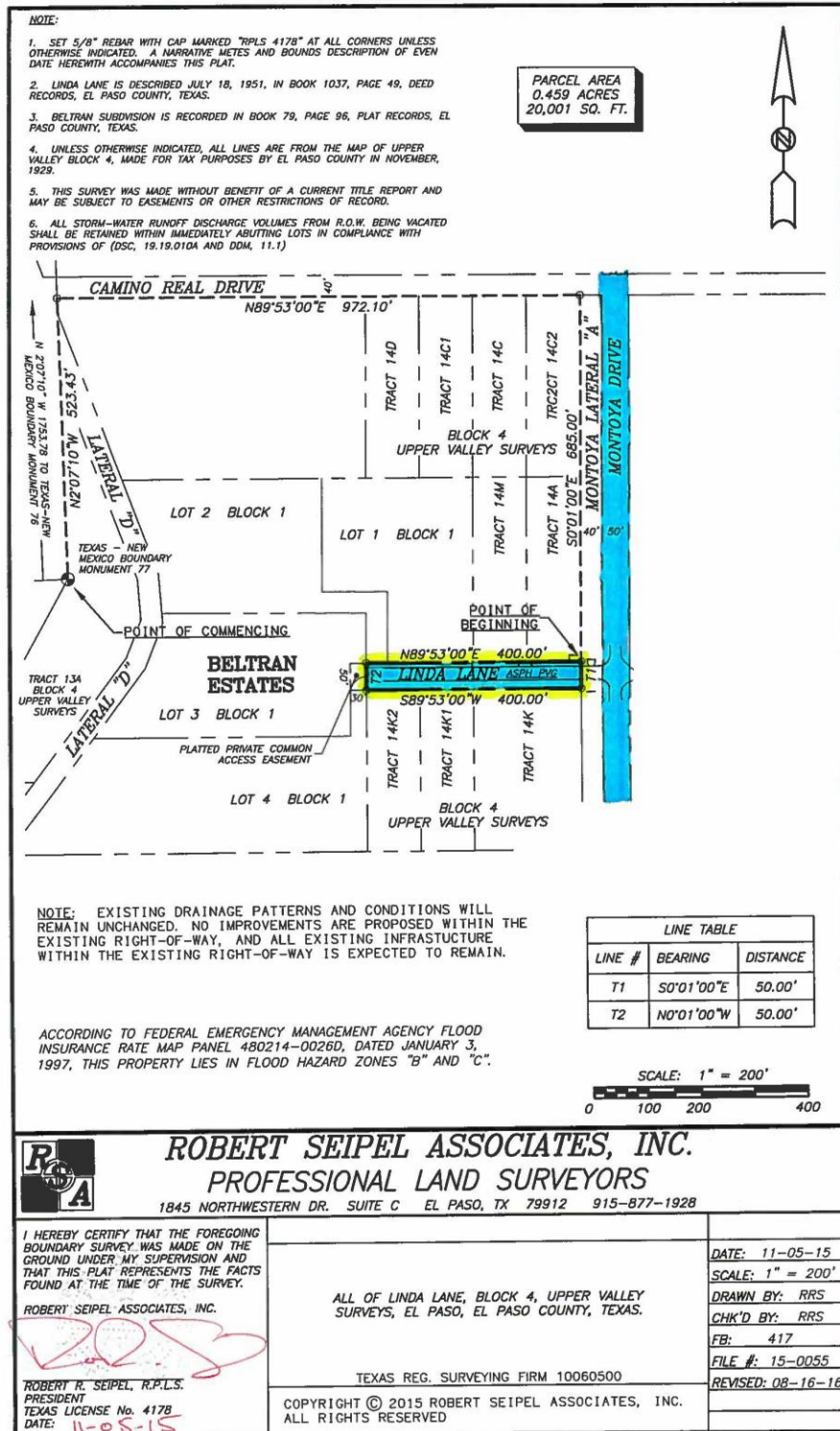
ATTACHMENT 2

LINDA LANE R.O.W. VACATION





# ATTACHMENT 3



## ATTACHMENT 4

Property description: All of Linda Lane, Block 4, Upper Valley Surveys, El Paso, El Paso County, Texas

### **METES AND BOUNDS DESCRIPTION**

The parcel of land herein described is all of Linda Lane (July 18, 1951, Book 1037, Page 49, Deed Records, El Paso County, Texas), El Paso, El Paso County, Texas, and is more particularly described by metes and bounds as follows:

**COMMENCING** at Texas – New Mexico Boundary Monument 77, from which Texas – New Mexico Boundary Monument 76 bears North 2°07'10" West, a distance of 1753.78 feet; Thence, North 2°07'10" West, along the Texas – New Mexico boundary line, a distance of 523.43 feet to the southerly right-of-way of Camino Real Drive (40-foot right-of-way, November, 1929, map of Block 4, Upper Valley Surveys, El Paso County, Texas); Thence, North 89°53'00" East, along said right-of-way, a distance of 972.10 feet to the westerly right-of-way of Montoya Lateral "A" (40-foot right-of-way, map of Block 4, Upper Valley Surveys); Thence, South 0°01'00" East, along said right-of-way, a distance of 685.00 feet to a 5/8" rebar with cap marked "RPLS 4178" set on the northerly right-of-way of Linda Lane for the **POINT OF BEGINNING** of this description;

**THENCE**, South 0°01'00" East, a distance of 50.00 feet to a 5/8" rebar with cap marked "RPLS 4178" set on the southerly right-of-way of Linda Lane;

**THENCE**, South 89°53'00" West, along said right-of-way, a distance of 400.00 feet to a 5/8" rebar with cap marked "RPLS 4178" set on the common boundary between Linda Lane and Beltran Subdivision (Book 79, Page 96, Plat Records, El Paso County, Texas);

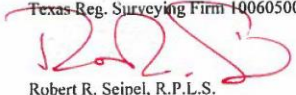
**THENCE**, North 0°01'00" West, along said boundary, a distance of 50.00 feet to a 5/8" rebar with cap marked "RPLS 4178" set on the northerly right-of-way of Linda Lane;

**THENCE**, North 89°53'00" East, along said right-of-way, a distance of 400.00 feet to the **POINT OF BEGINNING** of this description.

Said parcel of land contains 0.459 acres (20,001 square feet) of land more or less.

NOTE: A PLAT OF EVEN DATE HERewith ACCOMPANIES THIS DESCRIPTION.

ROBERT SEIPEL ASSOCIATES, INC.  
Professional Land Surveyors  
Texas Reg. Surveying Firm 14060500

  
Robert R. Seipel, R.P.L.S.  
President  
Texas License No. 4178

Job Number 15-0055  
November 5, 2015

15-0055.docx

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## ATTACHMENT 5



SURW16-00005  
\$1054.72


### CITY OF EL PASO, TEXAS APPLICATION FOR VACATION PUBLIC EASEMENTS AND RIGHTS-OF-WAY

Date: February 9, 2016

File No.

SURW16-00005

1. APPLICANTS NAME CSA Design Group, Inc.  
ADDRESS 1845 Northwestern Drive, Suite C, El Paso, Texas ZIP CODE 79912 TELEPHONE (915) 877-4155
2. Request is hereby made to vacate the following: (check one)  
Street ☐ Alley ☐ Easement ☐ Other R.O.W.  
Street Name(s) Linda Lane Subdivision Name \_\_\_\_\_  
Abutting Blocks \_\_\_\_\_ Abutting Lots Tracts 14K2, 14K1, 14K, 14A, 14M - Block 4 Upper Valley Surveys  
Block 1, Lots 1, 2, 3, and 4 - Beltran Estates Subdivision
3. Reason for vacation request: Privatize the Road.
4. Surface Improvements located in subject property to be vacated:  
None ☐ Paving ☒ Curb & Gutter ☐ Power Lines/Poles ☐ Fences/Walls ☐ Structures ☐ Other ☒ Header Curbing
5. Underground Improvements located in the existing rights-of-way:  
None ☐ Telephone ☐ Electric ☐ Gas ☐ Water ☒ Sewer ☒ Storm Drain ☐ Other ☐
6. Future use of the vacated right-of-way:  
Yards ☐ Parking ☐ Expand Building Area ☐ Replat with abutting Land ☒ Other ☐
7. Related Applications which are pending (give name or file number):  
Zoning ☐ Board of Adjustment ☐ Subdivision ☐ Building Permits ☐ Other ☐
8. Signatures: All owners of properties which abut the property to be vacated must appear below with an adequate legal description of the properties they own (use additional paper if necessary).

Signature	Legal Description	Telephone
	<u>Beltran Estates Subdivision - Lot 3, Block 1 (750 Linda Ave.)</u>	<u>(915) 6670102</u>
_____	_____	_____
_____	_____	_____

The undersigned Owner/Applicant/Agent understands that the processing of this Application will be handled in accordance with the procedure for Requesting Vacations and that no action on processing will be taken without payment of the non-refundable processing fee. It is further understood that acceptance of this application and fee in no way obligates the City to grant the Vacation. I/We further understand that the fee, if the Vacation is granted will be determined by the City of El Paso and a Certified or Cashier's Check must be presented before the request will be recommended for Council action.

The undersigned acknowledges that he or she is authorized to do so, and upon the City's request will provide evidence satisfactory to the City confirming these representations.

The granting of a vacation request shall not be construed to be a waiver of or an approval of any violation of any of the provisions of any applicable City ordinances.

*\*Effective September 1, 2014, a 3% technology fee has been added to all Planning application fees.*

OWNER:

  
Paul L. Foster

REPRESENTATIVE:

  
Adrian Holguin-Ontiveros  
CSA Design Group, Inc.

NOTE: SUBMITTAL OF AN APPLICATION DOES NOT CONSTITUTE ACCEPTANCE FOR PROCESSING UNTIL THE PLANNING DEPARTMENT REVIEWS THE APPLICATION FOR ACCURACY AND COMPLETENESS.

City Development Department  
811 Texas | P.O. Box 1890 | El Paso, Texas 79950-1890 | (915) 212-0085